

Message Text

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PAGE 01 BERN 01420 050937Z

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ACTION EUR-12

INFO OCT-01 ISO-00 JUSE-00 SEC-01 L-02 SCA-01 SCS-03 /020 W

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R 041617Z APR 75

FM AMEMBASSY BERN

TO SECSTATE WASHDC 505

LIMITED OFFICIAL USE BERN 1420

E.O. 11652: N/A

TAGS: CFED, SZ (VESCO/IOS)

SUBJECT: JUDICIAL ASSISTANCE: JUSTICE REQUEST FOR GENEVA
TESTIMONY CONCERNING CORNFELD AND IOS

REF: STATE 057339

1. EMBASSY HAS BEEN INFORMED BY POLICE DIVISION OF FDJP THAT
JUGE D'INSTRUCTION MOCK WOULD BE "DISPOSED IN PRINCIPLE"
TO GIVE A FAVORABLE RESPONSE TO A REQUEST FOR JUDICIAL
ASSISTANCE (LETTERS ROGATORY) FROM THE APPROPRIATE JUDICIAL
AUTHORITIES OF THE USA TO PROVIDE COPIES OF PROCES VERBAUX
(WRITTEN NARRATIVE RECORD) OF TESTIMONY DESIRED. JUDGE MOCK
CONFIRMED THAT THIS TESTIMONY DEALT WITH THE PURCHASE OF
SHARES BELONGING TO MR. CORNFELD.

2. THE POLICE DIVISION REPEATED THE CUSTOMARY CAUTION THAT
THE LETTERS ROGATORY MUST CONTAIN SUFFICIENT INFO TO PERMIT
SWISS OFFICIALS TO CONFIRM THAT THE TESTIMONY REQUESTED IS
IN CONNECTION WITH PROSECUTION OF A COMMON LAW CRIME, I.E.
EMBEZZLEMENT, ABUSE OF CONFIDENCE, FORGERY OF SHARES, ETC.
THE POLICE DIVISION ALSO WARNED THAT ANY INFO PROVIDED IN
RESPONSE TO LETTERS ROGATORY COULD ONLY BE USED IN PROSECUTION
OF COMMON LAW CRIMES AND NOT FOR VIOLATIONS OF "FISCAL"
LAW/REGULATIONS OR OF SEC LAWS/REGULATIONS.

3. IF CASE FALLS WITHIN ABOVE CRITERIA, EMBASSY REMINDS THAT
LETTERS ROGATORY SHOULD BE ACCOMPANIED BY FRENCH TRANSLATION
FOR USE IN GENEVA.

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DAVIS

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Current Classification: UNCLASSIFIED
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Copy: SINGLE
Draft Date: 04 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BERN01420
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750119-0052
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Handling Restrictions: n/a
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Margaret P. Grafeld
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